

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>303594WO/PRS/JT/FOD</b>	FOR FURTHER ACTION    See Form PCT/IPEA/416	
International application No. <b>PCT/IB2004/004217</b>	International filing date (day/month/year) <b>16-12-2004</b>	Priority date (day/month/year) <b>22-12-2003</b>
International Patent Classification (IPC) or national classification and IPC <b>See Supplemental Box</b>		
Applicant <b>Nokia Corporation et al</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:

- a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
  - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
  - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report   |
| <input type="checkbox"/> Box No. II           | Priority  |
| <input type="checkbox"/> Box No. III          | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV           | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI           | Certain documents cited   |
| <input type="checkbox"/> Box No. VII          | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII         | Certain observations on the international application   |

Date of submission of the demand <b>21-07-2005</b>	Date of completion of this report <b>13-02-2006</b>
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  <b>Tomas Erlandsson/MN</b> Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Cover sheet

**INTERNATIONAL PATENT CLASSIFICATION (IPC):**

**A63F 13/12 (2006.01)**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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## Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_  
which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1 - 14 as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages 15 as originally filed/furnished
- pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- pages\* 16 - 17 received by this Authority on 21-07-2005
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages 1 - 2 as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/004217

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1-16</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-16</u>	NO
Industrial applicability (IA)	Claims	<u>1-16</u>	YES
	Claims	_____	NO

## 2. Citations and explanations (Rule 70.7)

The claimed invention relates to online gaming. The object of the invention is to improve the role of spectators of an online game. This is accomplished by enabling the spectators to somehow affect the course of the online game.

The claims include a couple of vaguely defined key terms, which may not be regarded as technical features under national law. These terms are "state engine" and "presentation" engine. According to the claims, these "engines" perform certain desirable tasks, but the claims lack any further technical features necessary to perform those tasks. Although it is questionable whether the claims actually include enough technical features, it has been deemed possible to perform a meaningful search directed towards the general inventive concept.

Document cited in the International Search Report:

WO 03099401 A2

The cited document discloses an online gaming system with spectator involvement. In a simple embodiment, the spectator may provide comments to other spectators or to active players (page 4, lines 33-34). In a more complex embodiment, the spectators can influence the online game environment, such as the weather or the terrain (page 6, lines 15-25). The spectators have a possibility to provide input in order to enhance the performance of a particular player (page 5, line 33 - page 6, line 2).

.../...

## Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

It may be argued that the invention according to independent claims 1, 12, 13 and 16 differs from the technique disclosed by WO 03099401 A2. The possible difference is that there is a "presentation engine", which according to the applicant has numerous appealing properties. However, the independent claims fail to include any technical features defining the "presentation engine". Thus, the invention according to independent claims 1, 12, 13 and 16 does not comprise any technical features contributing to the solution of a technical problem, which is not already solved by WO 03099401 A2. Consequently, the invention according to independent claims 1, 12, 13 and 16 is not considered to involve an inventive step.

Claims 2-6, 7-8 and 14-15 add definitions concerning well-known equipment which is used in the system. This equipment is not explicit in WO 03099401 A2, but it is not indicated in the present application that the use of this well-known equipment gives any surprising solution to any inventive problem. Thus, the invention according to claims 2-4 and 7-8 is not considered to involve an inventive step. Claims 9-11 adds that a spectator acts as a cameraman, which is not mentioned in the cited document. However, those claims merely express an ambition to perform something, without actually defining any technical features necessary for performing those tasks. Consequently, the invention according to claims 9-11 is not considered to involve an inventive step.

The invention according to claims 1-16 is not considered to involve an inventive step.

7. The gaming system according to any preceding claim, wherein the network is a wireless communications network.

8. The gaming system according to any preceding claim, wherein the user terminals are wireless terminals.

9. The gaming system according to any preceding claim, wherein at least one of the spectators acts as a cameraman for affecting the virtual viewing position and angle of the game as seen by the other spectators.

10. The gaming system according to claim 9, wherein said cameraman is also arranged to affect the view of the game as seen by the participants.

11. The gaming system according to claim 9 or 10, wherein said spectator acts as a cameraman using camera circuitry stored in a presentation engine.

12. A method of interacting with a computer game being played online by users connected across a communications network, the method comprising:

controlling the state of the game using a state engine;

controlling the presentation to users of an output representing the state of the game;

enabling one or more users acting as participant(s) in the game to affect the state of the game by communicating with the state engine; and

enabling one or more users acting as spectator(s) of the game to affect the presentation of the output by communicating with the presentation engine.

13. A wireless user terminal for playing a computer game online across a communication network, the user terminal comprising:

a user interface for inputting and outputting information to a human user;

at least one state engine for controlling the state of the game and at least one presentation engine for controlling the presentation of an output representing the state of the game to the user interface; and

a network interface for transferring information to and from network;

wherein the state engine is arranged to enable a user of the terminal to affect the state of the game by communicating with the state engine and thereby act as a participant in the game, and the presentation engine is arranged to enable a user of the terminal to affect the presentation of the output to one or more other users acting as spectator(s) of the game by communicating with the presentation engine.

14. The user terminal according to claim 13, further comprising a side channel for transferring further information to and from the network.

15. The user terminal according to claim 14, wherein the further information transferred from the side channel is at least one of voice, SMS and email data.

16. An online gaming system enabling users connected to a communications network to interact with a computer game being played across the network, the system comprising at least one state engine for controlling the state of the game in accordance with state rules and at least one presentation engine for controlling the presentation to the users of an output representing the state of the game;  
wherein:

the state engine is arranged to enable one or more users to affect the state of the game by communicating with the state engine and thereby act as participant(s) in the game; and

the state engine is arranged to vary the state rules in response to inputs received from the spectators indicating a support for a participant so as to vary the rules to favour the participant having the most support.